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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants: Samy Ashkar and Jairo Salcedo

Serial No.: 09/981,845 Art Unit: 1647

Filed: October 18, 2001 Examiner: Regina M. Deberry

For: *OSTEOPONTIN-COATED SURFACES AND METHODS OF USE*

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*See application only*

**APPEAL BRIEF**

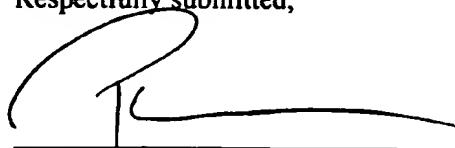
Sir:

This is an appeal from the final rejection of claims 1-3, 5 and 6 in the Office Action mailed August 8, 2005, in the above-identified patent application. A Notice of Appeal was filed on November 8, 2005. An Advisory Action was mailed February 15, 2006. An Appeal brief was filed on August 16, 2004, and a Substitute Appeal Brief on December 2, 2004. The examiner reopened examination on March 17, 2005, in response to the Substitute Appeal Brief. The Commissioner was authorized to charge \$165 to Appellant's deposit account in payment of the Appeal Brief filed on August 16, 2004, the fee for filing an Appeal Brief for a small entity. However, the fee for filing an Appeal Brief for a small entity is currently \$250.00. The Commissioner is hereby authorized to charge the difference of \$85.00, to Deposit Account No. 50-3129. Submitted with this Appeal Brief is a Petition for an Extension of Time, to extend the period for response for two months, to and including March 8, 2006. The

skill in the art could make the claimed peptides which bind to at least one integrin receptor a cell surface, and use the peptides to increase the cell attachment to a biomaterial and cell spread.

For the foregoing reasons, Appellants submit that claims 1-3, 5 and 6 are enabled.

Respectfully submitted,



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Date: February 24, 2006  
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